

- (4) Certifying persons as being authorized to conduct moped inspections. [Eff **SEP. 15 1988** ] (Auth: HRS §§286-27, 291C-202) (Imp: HRS §§286-27, 291C-202)

## SUBCHAPTER 2 INSPECTION STATIONS

§19-135-6 Inspection stations; permits; county responsibilities. The county agency shall be responsible for the following duties with respect to the application for an official moped inspection station permit:

- (1) Issuing permits designating each inspection station that meets the minimum standards required by this chapter to conduct moped inspections;
- (2) Inspecting the station facilities and equipment of each applicant to insure that the minimum standards required by this chapter are met;
- (3) Ascertaining that each applicant meets the minimum requirements of this chapter with respect to having a certified moped inspector in its employ;
- (4) Recording the results of all inspections of station facilities and equipment of each applicant;
- (5) Maintaining a file of all records for each applicant from the date of application till the date of termination;
- (6) Providing official application forms, approved by the director, for an inspection station permit; and
- (7) Developing and issuing additional forms necessary to administer the issuance of official moped inspection station permits. [Eff **SEP. 15 1988** ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-7 Types of inspection station permits. There shall be two types of inspection station permits to be designated as:

- (1) Public permits - to conduct inspections on any moped that requires inspection; or
- (2) Private permits - to conduct inspections only on those mopeds which are owned by the owner and operator of the official inspection station. A private station qualification shall be determined by the county agency. [Eff **SEP. 15 1988** ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-8 Application for inspection station permits. (a) Each applicant for certification as an inspection station shall comply with the procedures set forth in this section.

(b) Application for the permit shall be made on an official form approved by the director and furnished by the county agency.

(c) The applicant shall provide the following information, to the county agency, on the approved form:

- (1) The registered business name of the station;
- (2) The exact address and location of the applicant's place of business where the moped inspections will be conducted. A separate application shall be made for each additional location owned or operated by the applicant which is to be certified as an inspection station;
- (3) The name of the owner, manager, or supervisor who will be responsible and accountable for the moped inspections and the performance of the moped inspectors;
- (4) The applicant's type of business; e.g., service station, moped rental, repair shop, moped dealer;
- (5) Type of permit requested (public or private); and
- (6) A list of the names and inspector certificate numbers of certified moped inspectors presently employed by the applicant as regular employees.

(d) The application form shall contain a statement that the applicant agrees to equip and maintain, at the applicant's own expense, all moped safety inspection facilities in accordance with the minimum standards set by this chapter, and conduct moped safety inspections as required by this chapter and the standards and criteria prescribed in "The Handbook" located at the end of this chapter.

(e) Each application for certification as an inspection station shall be signed by:

- (1) The owner and notarized, if the applicant is a sole proprietorship;
- (2) All partners and notarized, if the applicant is a partnership; or
- (3) A person authorized to sign the application, if the applicant is a corporation. Written evidence of this authority shall be attached with the corporate seal affixed to the application form.

[Eff SEP. 5 1966] (Auth: HRS §291C-202)  
(Imp: HRS §291C-202)

§19-135-9 Issuance of inspection station permits.

(a) The county agency shall issue inspection station permits only to those applicant stations which have been certified by the county agency as meeting the standards set forth in this section.

(b) Each inspection station serving the public shall have a certified moped inspector scheduled to be available to conduct moped inspections for a total of four hours between 7:00 a.m. to 7:00 p.m. daily, except Saturdays, Sundays, and designated holidays.

(c) Personnel requirements shall be as follows:

- (1) One supervisor, manager, or owner of each business operating one or more inspection stations shall be a certified moped inspector; and
- (2) A minimum of two employees, including a supervisor, manager, or owner, at each inspection station shall be a certified moped inspector.

(d) Each inspection station shall conform to the following requirements:

(1) The inspection area shall:

- (A) Have a minimum dimension of eight feet by ten feet;
- (B) Have overhead protection from the weather;
- (C) Be designated and marked as the inspection area;
- (D) Be clean and orderly;
- (E) Have a hard surface, such as concrete, and be in sound condition. Wood or dirt floors shall not be acceptable;
- (F) Have a surface limited to a 2.5 per cent slope (three inches in ten feet); and
- (G) Have no hazardous conditions that may injure persons or damage the moped;

- (2) The total interior floor area and the exterior ground space, including parking areas which are used by the public, shall be free of dirt, gravel, grease, oil, debris, or other noxious, hazardous, or repulsive foreign substances;
- (3) Every inspection station shall have a moped headlamp test area that is flat and level; and
- (4) All inspection stations serving the public shall provide an off street parking area available for mopeds waiting to be inspected.

(e) Every inspection station shall have the following tools, equipment, and replacement parts available and in good working condition at the station location:

- (1) One headlamp aiming device approved by the director;
- (2) A moped repair stand;
- (3) A tire tread depth gauge scored in 1/32 inch increments or fifteen centimeters scored in increments of one millimeter;
- (4) A tire pressure gauge marked in pounds per square inch or its metric equivalent;
- (5) A standard assortment of tools for removing and replacing wheels and tires, for removing and replacing exhaust pipes and mufflers, and for adjusting brakes;
- (6) Assorted types and sizes of replacement parts, including:
  - (A) Insulated wires;
  - (B) Fuses; and
  - (C) Light bulbs.

(f) Each public inspection station shall provide proof that there is in effect a liability insurance policy issued to the station owner or operator by an insurance company authorized to do business in the State. The policy shall insure the owner or operator and any other employee authorized to inspect mopeds in the minimum amount of \$10,000 for comprehensive public liability for one person, \$20,000 for one accident, and \$5,000 for comprehensive property damage. [Eff SEP 15 1988 ]  
 (Auth: HRS §291C-202) (Imp: HRS §291C-202)

\$19-135-10 Inspection station permit form. (a) The inspection station permit shall be in a form approved by the director.

(b) The following information shall appear on the face of the permit:

- (1) The registered name of the person, partnership, or corporation owning and operating the inspection station;
- (2) The trade "dba" name of the inspection station;
- (3) The address and location of the inspection station. If the inspection is conducted at a different location than the listed address, then both addresses and locations shall be included on the permit;
- (4) A permit control number;

- (5) The date the permit is issued;
  - (6) The type of inspection station, public or private (fleet); and
  - (7) The signature of the county agent authorized to issue inspection station permits, with the agent's position, title, and the name of the county agency typed under the signature.
- (c) The permit shall be posted in a conspicuous place at the location where the inspections are conducted, and shall be visible to all moped owners who present their mopeds for inspection.
- (d) The permit shall not be assigned, transferred, or used at any location other than the location listed on the face of the permit as the place where the inspection is to be conducted. [Eff **SEP. 15 1986** ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-11 Inspector certification; county responsibilities. The county agency shall be responsible for:

- (1) Issuing certificates authorizing persons to conduct moped inspections;
  - (2) Administering written and performance examinations for all applicants;
  - (3) Recording the results of all examinations;
  - (4) Maintaining a record of examination results for a period of one year from the date the applicant took the examination;
  - (5) Maintaining a record of examination results for the entire period for which an inspector's certificate is valid;
  - (6) Maintaining a file for all formerly certified moped inspectors for a period of one year after decertification; and
  - (7) Developing and issuing additional forms as may be necessary for administering the moped inspector certification process. All supplemental forms shall first be approved by the director.
- [Eff **SEP. 15 1986** ] (Auth: HRS §291C-202)  
(Imp: HRS §291C-202)

§19-135-12 Application for inspector certification.  
(a) Application for moped inspector certification shall be made on a form furnished by the county agency and approved by the director.

(b) The applicant shall provide the following on the approved form:

- (1) Type of application (original or renewal);
- (2) Applicant's last name, first name, and middle initial(s);
- (3) Applicant's home address;
- (4) Applicant's telephone number;
- (5) Applicant's date of birth;
- (6) Type of Hawaii driver license and driver license number of the applicant;
- (7) Applicant's driving experience in years and by type of vehicle;
- (8) Applicant's technical licenses or certificates;
- (9) Applicant's attendance at vocational and technical training schools, accompanied by a copy of certificates of successful completion;
- (10) Applicant's formal schooling and the highest level successfully completed;
- (11) Applicant's experience in vehicle or motorcycle safety inspection, automotive or motorcycle mechanics, or related experience;
- (12) Applicant's signature and date of signature to the declaration that all furnished information is true, and that upon certification as a moped inspector, the applicant shall conduct moped safety inspections in accordance with this chapter; and
- (13) The date the application is filed.

[Eff SEP 15 1988 ] (Auth: HRS §291C-202)  
(Imp: HRS §291C-202)

§19-135-13 Issuance of inspector certificates. (a)  
The county agency shall issue official moped safety inspector certificates only to those applicants who meet the following minimum standards:

- (1) Be able to read and legibly print the English language and Arabic numerals;
- (2) Be at least eighteen years of age at the time of the application;
- (3) Have a valid Hawaii driver license;
- (4) Have at least:
  - (A) One year of training in automotive mechanics or motorcycle mechanics, or a related technical field at a school conducting regularly scheduled classes;
  - (B) Two years of employment experience in automotive, motorcycle, or moped maintenance, repair or service; or

- (C) Satisfactorily completed a course of instruction approved by the director in vehicle, motorcycle, or moped safety inspection procedures administered by the proper county agency; and
- (5) Have completed a written and performance examination, approved by the director and administered by the proper county agency. The minimum qualifying score on these examinations shall be eighty per cent.
- (b) Each applicant may be required to attend a course of instruction in moped safety inspection procedures approved by the director. [Eff SEP. 15 1988 ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-14 Inspector certificate form. (a) The official moped inspector certificate shall be of a design approved by the director, and contain the following on the face of the certificate:

- (1) The name of the person to whom the certificate is issued;
- (2) The date the certificate is issued;
- (3) The expiration date of the certification as a moped inspector;
- (4) The signature of the county agent authorized to issue the certificate;
- (5) The number of the certificate; and
- (6) The signature of the person to whom the certificate is issued.
- (b) The name and location of the inspection station shall be listed on the reverse side of the official moped inspector certificate. The county agency may, upon proper notification by the inspector and presentation of the inspector's valid certificate, list additional inspection stations where the inspector is authorized to conduct moped inspections.
- (c) The official moped inspector certificate shall be displayed in a conspicuous place in the area where inspections are conducted. If the certified moped inspector conducts inspections at more than one location, a duplicate inspector's certificate shall be displayed at each additional location.
- (d) The moped inspector's certificate authorizes the inspector to conduct official moped inspections only at station locations listed on the reverse side of the inspector's certificate.

(e) The county agency may issue duplicate moped inspector certificates upon satisfactory explanation by the inspector as to what happened to the original certificate. The duplicate certificate shall contain the following information:

- (1) The original certificate control number with the word "duplicate" written after the number; and
- (2) The expiration date specified on the original certificate.

(f) A moped safety inspector certificate shall expire four years from the date of issuance, unless revoked or suspended by the county agency.

(g) Recertification of moped safety inspectors shall conform to the following requirements:

- (1) Application for renewal of certification shall be made by the moped safety inspector not more than sixty days prior to the expiration of the certificate;
- (2) Recertification shall follow the certification procedure; and
- (3) Every applicant for recertification shall satisfactorily complete both a written and performance examination approved by the director.

(h) The moped safety inspector certificate shall be valid only in the jurisdiction of the issuing county agency. [Eff SEP. 15 1988 ] (Auth: HRS \$291C-202)  
(Imp: HRS \$291C-202)

\$19-135-15 Inspection stations; operating procedures. (a) Official moped inspection stations shall be operated in accordance with this chapter, chapter 19-131, and The Handbook.

- (1) Inspection stations shall be operated with reasonable regard for the convenience of the public;
- (2) Inspections shall be conducted only at official moped safety inspection stations which have been issued a permit by the county agency; and
- (3) Inspections shall be conducted only by moped safety inspectors who have been issued a certificate by the county agency.

(b) The county agency shall furnish copies of the required forms, a copy of these rules, chapter 19-131, and The Handbook to every official moped inspection station. The county agency may require persons receiving any forms, rules, or The Handbook to pay the cost of those items.



(c) The county agency may require every inspection station to post a sign with a minimum area of one hundred forty four square inches, clearly legible from a public area, containing the words "Official Moped Safety Inspection Station", together with the identifying numbers and letters assigned to that station. Every sign shall display a reproduction of the safety inspection logo which appears on the safety inspection sticker. The reproduction shall be displayed upon a contrasting background and shall be of a size at least as large as the largest letter, numeral, or other character appearing elsewhere on the sign. [Eff SEP. 1 5 1988 ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-16 Safety inspection records. (a) A moped safety certificate of inspection, as designated and approved by the director, shall be completed by the moped safety inspector for each moped inspected.

(b) The inspection station operator shall insure that copies of the completed certificate of inspection are distributed as indicated by printed markings thereon:

- (1) One copy shall be sent to the county agency;
- (2) One copy shall be retained by the inspection station for a period of at least one year; and
- (3) One copy shall be given to the moped owner to be retained with the moped at all times.

(c) The county agency may require any inspection station operator to provide a summary report, approved by the director, of moped safety inspections conducted. The summary reports shall not be required more frequently than once each month. [Eff SEP. 1 5 1988 ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-17 Inspection stations; supervision by the county agency. The county agency shall exercise supervisory control over all inspection stations under its jurisdiction. This supervisory function shall include, but not be limited to the following activities:

- (1) Issuing any forms as may be required for:
  - (A) The preparation and maintenance of records concerning safety inspections;
  - (B) The preparation and submission of reports by inspection station operators;
  - (C) The use and condition of inspection station facilities and equipment used in the safety inspection of mopeds;

- (2) Monitoring and inspecting inspection stations to:
    - (A) Evaluate the procedures used in the safety inspection of mopeds;
    - (B) Evaluate the condition of moped inspection facilities and equipment used in moped safety inspections;
    - (C) Evaluate the condition and accuracy of test equipment used in moped safety inspections;
  - (3) Analyzing official moped inspection reports to evaluate the performance of inspection stations and take appropriate action as may be indicated;
  - (4) Preparing and maintaining appropriate records for each inspection station; and
  - (5) Preparing and submitting a report to the director at the end of each quarter covering periodic moped safety inspection activities within its jurisdiction. This report shall contain, but is not limited to, the following:
    - (A) The number of moped inspection station applications processed;
    - (B) The number of official inspection station permits suspended;
    - (C) The number of official inspection station permits revoked;
    - (D) The number of official inspection stations voluntarily withdrawing from the program;
    - (E) The number of official inspection stations active in the jurisdiction;
    - (F) The number of moped inspector applications processed;
    - (G) The number of moped inspector certificates suspended;
    - (H) The number of moped inspector certificates revoked;
    - (I) The number of certified moped inspectors voluntarily withdrawing from the program;
    - (J) The number of certified moped inspectors active in the jurisdiction;
    - (K) The number of moped inspector certificates renewed;
    - (L) The number of official moped inspection stations monitored; and
    - (M) A brief narrative describing any problems, innovations, and recommendations.
- [Eff SEP. 15 1988] (Auth: HRS §291C-202)  
 (Imp: HRS §291C-202)

§19-135-18 Enforcement by the county agency. (a) The county agency shall suspend or revoke inspection station permits or moped safety inspector certificates when it finds that the inspection station or inspector, as the case may be, is not properly conducting inspections. Each county agency shall adopt rules pursuant to chapter 91, HRS, to govern suspensions and revocations.

(b) A list of the names of inspection stations for which permits have been suspended or revoked shall be posted at the county agency's office. The station name shall remain posted for the period of suspension or for a minimum of thirty days from the beginning of initial revocation. [Eff SEP. 15 1988 ] (Auth: HRS §291C-202)  
(Imp: HRS §291C-202)

§19-135-19 Operating procedures for inspectors. (a) Certified moped inspectors shall conduct all official moped safety inspections in accordance with this chapter, chapter 19-131, The Handbook, and the following requirements:

- (1) No person shall act as a certified moped inspector or issue any official moped safety inspection certificate and sticker unless that person possesses a current, valid, moped inspector's certificate to conduct moped inspections at the inspection station location indicated on the certificate issued by the county agency having jurisdiction over the inspection station;
- (2) Certified moped inspectors shall be the only person authorized to issue and affix safety stickers to a moped after successful completion of the periodic official moped inspection;
- (3) Every certified moped inspector shall conduct moped inspections in accordance with the criteria prescribed in The Handbook;
- (4) A certified moped inspector may be assisted by a noncertified person when conducting an official moped safety inspection, provided that the noncertified person is under the immediate and personal supervision of the certified moped inspector; and
- (5) Any certified moped inspector, working at a public inspection station, shall not require unnecessary repairs, make excessive charges, or act abusively to customers seeking safety inspection certification for their mopeds.  
[Eff SEP. 15 1988 ] (Auth: HRS §291C-202)  
(Imp: HRS §291C-202)

§19-135-20 Supervision of inspectors. The county agency shall exercise control over all certified moped inspectors under its jurisdiction. This supervisory function shall include, but is not limited to, the following activities:

- (1) Examining and qualifying all certified moped inspectors;
- (2) Issuing of additional forms as may be required;
- (3) Monitoring official moped inspection activities of certified moped inspectors; and
- (4) Conducting investigations of reported or suspected improper moped safety inspection activities. [Eff ~~SEP. 15 1988~~ ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

### SUBCHAPTER 3 GENERAL PROCEDURE FOR INSPECTION

§19-135-21 Application for inspection certification.

(a) Any moped owner or operator shall be allowed to make an appointment with any public moped inspection station for inspection of a moped. The appointment shall be scheduled within fifteen days after the date of application for inspection.

(b) Any moped owner or operator shall not be obliged to have any repair work performed at the station where the inspection is made. [Eff ~~SEP. 15 1988~~ ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-22 Causes for refusal to inspect. An inspection station may refuse to inspect any moped whenever the performance of any visually inspectable component cannot readily be determined because of an accumulation of dirt, grease, or other foreign material. [Eff ~~SEP. 15 1988~~ ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-23 Inspection fees. (a) The county council of each county shall determine the fee to be paid to the inspection station by the moped owner for the safety inspection of a moped. This fee shall include the safety sticker fee paid to the county agency by the inspection station operator.

(b) When an application for certification of moped safety inspection is made at an inspection station, a